LEGISLATIVE COUNCIL

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PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL OF INDIA,

January to December 1858.

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cil to pass the Act. The Act had been repealed in consequence; and the Bill which he now introduced in substitution of it would, previously to being passed, be sent home for the Royal sanction. It was unnecessary, therefore, that Section XXXV of Act VI of 1856 should be retained, and the Select Committee had accordingly omitted it.

The Select Committee had inserted a new Section, by which it was provided that all exclusive privileges granted under Act VI of 1856, and all remedies which that Act gave either for the infringement of an exclusive privilege, or for the purpose of setting one aside, should be continued in the same way as if the Act had not been repealed. The object of this provision was to put all persons who had obtained exclusive privileges on the faith of the Act, in precisely the same position in which they would have been if the Act had received the sanction of Her Majesty previously to its being passed.

It had also appeared proper to the Select Committee to extend the term of exclusive privileges already obtained under Act VI of 1856. The Act allowed an exclusive privilege for the term of fourteen years from the time of applying for leave to file a specification. But as the parties who had obtained exclusive privileges under it had been prevented from bringing them into effect in consequence of its repeal, it was but right that the term of fourteen years should be taken to commence, not from the date of the application for leave to file a specification, but from the date of the passing of the new Act; so that the parties should have what the Act of 1856 contemplated—the full period of fourteen years for the enjoyment of their exclusive privileges.

With these observations, which were all that he thought it necessary to make, he should move the first reading of the Bill.

The Bill was read a first time.

REGULATION OF PORTS (FORT ST. GEORGE).

MR. ELIOTT moved that the Bill "for the Regulation of certain Ports within the Presidency of Fort St. George" be now read a third time.

Mr. Peacock

The Motion was carried, and the Bill read a third time.

AUTHENTICATION OF GOVERNMENT STAMPS.

MR. PEACOCK moved that the Council resolve itself into a Committee on the Bill "to provide for the authentication of Government Stamped Paper;" and that the Committee be instructed to consider the Bill in the amended form in which the Select Committee had recommended it to be passed.

Agreed to.

The Bill passed through Committee after the omission (on the motion of Mr. Currie) of the word "Covenanted" wherever it occurred before the words "Deputy and Assistant Collector," and the addition of the following new Section at the end of the Bill:—

"The words 'Collector' or 'his Deputy or Assistant' shall be deemed to include any Officer exercising the powers of a Collector or of his Deputy or Assistant respectively."

The Council having resumed its sitting, the Bill was reported.

REGULATION OF PORTS (FORT ST. GEORGE).

MR. ELIOTT moved that Mr. Peacock be requested to take the Bill "for the Regulation of certain Ports within the Presidency of Fort St. George" to the President in Council in order that it may be submitted to the Governor-General for his assent.

Agreed to.

The Council adjourned.

Saturday, April 24, 1858.

PRESENT:

The Honorable J. A. Dorin, *Vice-President*, in the Chair.

Hon. the Chief Justice,	D. Eliott, Esq.,
Hon. J. P. Grant,	P.W.LeGeyt, Esq.,
Hon. Major Genl. Sir J. Outram,	E. Currie, Esq., and
Hon'ble B. Peacock,	H.B.Harington,Esq.

The following Messages from the Governor General were brought by the Vice-President and read:—

(MINORS) FORT ST. GEORGE.

MESSAGE No. 135.

The Governor General informs the Legislative Council that he has given his assent to the Bill which was passed by them on the 28th March 1858, entitled a Bill "to extend the provisions of Act XXI of 1855 in the Presidency of Fort St. George to Minors not subject to the superintendence of the Court of Wards."

G. F. EDMONSTONE,
Secy. to the Govt. of India with the Govr. Genl.

ALLAHABAD;
The 9th April 1858.

PORT-DUES (ADEN).

MESSAGE No. 136.

The Governor General informs the Legislative Council that he has given his assent to the Bill which was passed by them on the 3rd April 1858, entitled a Bill "for the levy of Port-dues in the Port of Aden."

G. F. EDMONSTONE,
Secy. to the Govt. of India with the Govr. Genl.

ALLAHABAD;
The 14th April 1858.

SUBORDINATE CRIMINAL COURT (OCTACAMUND).

MESSAGE No. 137.

The Governor General informs the Legislative Council that he has given his assent to the Bill which was passed by them on the 3rd April 1858, entitled a Bill "to extend Act XXV of 1855."

G. F. EDMONSTONE,
Secy. to the Govt. of India with the Govr. Genl.

ALLAHABAD;
The 14th April 1858.

RESTORATION OF POSSESSION OF LANDS (N. W. PROVINCES).

MR. HARINGTON presented the Report of the Select Committee on the Bill "to facilitate the recovery of land and other real property, of which possession may have been wrongfully taken during the recent disturbances in the North-Western Provinces of the Presidency of Bengal."

NATIVE PASSENGER SHIPS.

MR. ELIOTT presented the Report of the Select Committee on the Bill "for the regulation of Native Passenger Ships."

FORT OF TANJORE.

MR. ELIOTT moved the second reading of the Bill "for bringing the Fort of Tanjore and the adjacent territory under the Laws of the Presidency of Fort St. George."

The motion was carried, and the Bill read a second time.

EXCLUSIVE PRIVILEGES TO INVENTORS.

MR. PEACOCK moved the second reading of the Bill "for granting exclusive privileges to Inventors."

The motion was carried and the Bill read a second time.

AUTHENTICATION OF GOVERNMENT STAMPS.

MR PEACOCK moved that the Bill "to provide for the authentication of Stamped Paper issued from the Stamp Office in Calcutta" be now read a third time and passed.

The motion was carried, and the Bill read a third time.

ESTATE OF THE LATE NABOB OF THE CARNATIC.

MR. PEACOCK said, the Honorable Member for Madras had received a communication from the Madras Government requesting him to expedite as much as possible the passing of the Bill "to provide for the administration of the Estate, and for the payment of the debts, of the late Nabob of the Carnatic." The Bill had already been read a second time, and referred to a Select Committee. He (Mr. Peacock) proposed that the Committee be instructed to present their Report upon it at the first

Meeting of the Council after the 1st of June next—which would allow two months to creditors of the Nabob for making known any objections which they might have to the Bill—and that a notification to that effect be published in the *Gazette*. Accordingly, he should now move that the Standing Orders be suspended in order that the Bill might be proceeded with without delay.

MR. ELIOTT seconded the motion, which was then agreed to.

MR. PEACOCK moved that the Select Committee on the Bill be instructed to present their Report at the first Meeting of the Council after the first of June next, and that a notification to that effect be published in the *Gazette* for general information.

Agreed to.

FORT OF TANJORE.

MR. ELIOTT moved that the Bill "for bringing the Fort of Tanjore and the adjacent territory under the Laws of the Presidency of Fort St. George" be referred to a Select Committee consisting of Mr. Currie, Mr. Harington, and the Mover.

Agreed to.

EXCLUSIVE PRIVILEGES TO INVENTORS.

MR. PEACOCK moved that the Bill "for granting exclusive privileges to Inventors" be referred to a Select Committee consisting of the Chief Justice, Mr. Grant, and the Mover.

Agreed to.

The Council adjourned.

Saturday, May 1, 1858.

PRESENT:

The Hon'ble the Chief Justice, *Vice-President*, in the Chair.

Hon. J. P. Grant,	P. W. LeGeyt, Esq.
Hon. Major Genl. Sir Jas. Outram,	E. Currie, Esq. and
Hon. H. Ricketts,	H. B. Harington, Esq.
Hon. B. Peacock,	

The following Message from the Governor General was read by the Vice-President:—

LIGHT-DUES (GULF OF CAMBAY).

THE Governor General informs the Legislative Council that he has given his assent to the Bill which was passed by them on the 10th April 1858, entitled "A Bill to repeal the Laws relating to the levy of Light-dues at Ports within the limits of the Gulf of Cambay."

G. F. EDMONSTONE,
Secy. to the Govt. of India, With the Govr. Genl.

ALLAHABAD; *April 20th*, 1858.

THE CLERK brought under the consideration of the Council the following Petitions:—

COTTON-FRAUDS (BOMBAY).

A Petition of certain Native Cotton Merchants and Dealers residing in the Town and Island of Bombay against Section VI of the Bill "for the better suppression of frauds in the Cotton-trade in the Presidency of Bombay."

MR. LEGEYT moved that the Petition be referred to the Select Committee on the Bill.

Agreed to.

CONSERVANCY ACT.

Also a Petition of the Bengal Bonded Warehouse Association praying for a modification of Section XXXV of Act XIV of 1856 (for the Conservancy and Improvement of the Towns of Calcutta, Madras, and Bombay, and the several stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca,) relative to the powers of the Commissioners to allow projections, not exceeding a certain width, from houses.

MR. CURRIE moved that the Petition be printed.

Agreed to.

PORTRAIT OF THE MARQUIS OF DALHOUSIE.

THE CLERK reported to the Council that he had received a communication from the Secretary to the Government of India in the Home Department forwarding an Extract of a Despatch from the Court of Directors on the subject of the Marquis of Dalhousie's Portrait.

MR. GRANT moved that the communication be printed.

Agreed to.